

Document No. 136
Reimbursement Agreement
Metropolitan Transit Authority
Adopted at Meeting of April 5, 1961

AGREEMENT made April 5, 1961, between the BOSTON REDEVELOPMENT AUTHORITY, a body politic and corporate, created under the General Laws of the Commonwealth of Massachusetts, Chapter 121, Section 26QQ, hereinafter called the Redevelopment Authority, and the METROPOLITAN TRANSIT AUTHORITY, a body politic and corporate and a political subdivision of the Commonwealth, established under the provisions of St. 1947, Chapter 544, as amended, hereinafter called the Transit Authority.

WITNESSETH that,-

WHEREAS, the Redevelopment Authority has in the City of Boston a Project known as the West End Redevelopment, which includes certain existing streets in which the Transit Authority has installed in locations therein and maintains and uses conduits and electric cables; and

WHEREAS, said Redevelopment Authority has discontinued said streets and the removal of said conduits and said cables from said locations is required; and

WHEREAS, St. 1957, Chapter 140, Section 26V of said Chapter 121 of the General Laws has been amended by adding at the end of said section the following paragraph:-

"A housing or redevelopment authority shall reimburse the Metropolitan Transit Authority for all cost and expense incurred by said Authority in connection with the removal or relocation of poles, tracks, wires, conduits, cables, or of any other structure, or appurtenance thereto, whether located

"in public ways or other areas, whenever a housing or redevelopment authority undertakes a project under this chapter and the removal or relocation of any of such facilities is required in connection with such undertaking.";

and

WHEREAS, the parties hereto have reached an agreement as to the estimated cost of the work and material used for carrying out said conduits and relocation and replacement of the Transit Authority's cables and conduits, as shown in "Schedule A" attached hereto and made a part hereof;

NOW, THEREFORE, in consideration of said St. 1957, Chapter 140, amending said Section 26V of Chapter 121 of the General Laws, and every other consideration, the Redevelopment Authority and the Transit Authority hereby agree, each with the other, as follows:

WORK

The work to be done by the Transit Authority at the expense of the Redevelopment Authority consists of constructing by its own forces or by its contractors or agents the conduits shown on the plans attached and made a part hereof, of constructing new manholes and installing new cables and returns in said new conduits and manholes in new locations approved by the Department of Public Utilities by its Order No. 13381, dated October 5, 1960, and the removal of the abandoned cables and returns, and such additional work as may be shown on supplementary

plans prepared and filed by the Chief Engineer of the Transit Authority.

EXPENSE

The entire cost and expense of the removal and relocation of such facilities of the Transit Authority as above described shall be borne by the Redevelopment Authority, as provided by said Statute 1957, Chapter 140, and the Redevelopment Authority shall reimburse the Transit Authority for the actual cost of the work done and materials furnished by the Transit Authority under this Agreement, less the value of materials removed.

An estimate of the cost of the work to be done and materials to be furnished by the Transit Authority, as prepared by the Transit Authority, is contained in said "Schedule A".

IN WITNESS WHEREOF, the parties hereto have executed this Agreement on the day and year above written.

Approved as to form:

John C Conley
General Counsel
Boston Redevelopment
Authority

BOSTON REDEVELOPMENT AUTHORITY

By

Joseph W. Lund
Chairman

Approved as to form:

William B. Droney
General Counsel
Metropolitan Transit
Authority

METROPOLITAN TRANSIT AUTHORITY

By

Thomas J. McElmer
General Manager

Engineering Dept.

August 10, 1960

METROPOLITAN TRANSIT AUTHORITY

ESTIMATE OF COST OF WORK DESCRIBED IN SCHEDULE "A"

CONSTRUCTION OF UNDERGROUND CONDUIT AND MANHOLES

AND

INSTALLATION OF CABLES AND RETURNS IN NEW CONDUIT AND
MANHOLES AND REMOVAL OF ABANDONED CABLE AND RETURNS

WEST END REDEVELOPMENT PROJECT

	<u>Conduit & Manholes</u>	<u>Cables & Returns</u>	<u>Total</u>
Labor	\$ 47,500	\$ 7,290	\$ 54,790
Material Less Salvage	8,200	14,880	23,080
Equipment	2,800	1,030	3,830
	<hr/>	<hr/>	<hr/>
	\$ 58,500	\$ 23,200	\$ 81,700

BREAKDOWN OF MATERIAL

Underground Feed and Return Wire	\$ 14,675
Conduit and Manholes	9,675
	<hr/>
	\$ 24,350
Salvage Material	1,270
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Net Cost	\$ 23,080

CERTIFICATE OF VOTES

The undersigned hereby certifies as follows:

(1) That he is the duly qualified and acting Secretary of the Boston Redevelopment Authority, hereinafter called the Authority, and the keeper of the records, including the journal of proceedings of the Authority.

(2) That the following votes are a true and correct copy of the votes as finally adopted at a meeting of the Authority held on the 5th day of April, 1961 and duly recorded in this office:

VOTED: That the Authority enter into a Reimbursement Agreement with the Metropolitan Transit Authority for costs incurred by the Metropolitan Transit Authority in relocating conduits and cables in the West End Redevelopment Area, and that the Reimbursement Agreement as presented to the meeting be and hereby is approved.

VOTED: that the Chairman, Joseph W. Lund, be and he hereby is authorized to execute said Reimbursement Agreement to the Metropolitan Transit Authority in the form presented to this meeting.

(3) That said meeting was duly convened and held in all respects in accordance with law, and to the extent required by law, due and proper notice of such meeting was given; that a legal quorum was present throughout the meeting, and a legally sufficient number of members of the Authority voted in the proper manner and all other requirements and proceedings under law incident to the proper adoption or the passage of said vote have been duly fulfilled, carried out and otherwise observed.

(4) That the Reimbursement Agreement to which this certificate is attached is in substantially the form as that presented to said meeting.

(5) That if an impression of the seal has been affixed below, it constitutes the official seal of the Boston Redevelopment Authority and this certificate is hereby executed under such official seal.

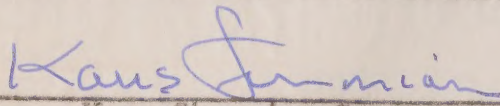
(6) That Joseph W. Lund is the Chairman of said Authority.

(7) That the undersigned is duly authorized to execute this certificate.

IN WITNESS WHEREOF the undersigned has hereunto set his hand this 5th day of April, 1961.

BOSTON REDEVELOPMENT AUTHORITY

By



Kane Simonian, Secretary

Metropolitan Transit Authority

BOARD OF TRUSTEES

PARK SQUARE BUILDING

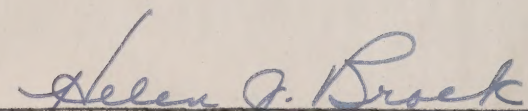
BOSTON 16, MASSACHUSETTS

I, Helen J. Brock, Recording Secretary of the Board of Trustees of the Metropolitan Transit Authority, hereby certify that at a Meeting of the Board of Trustees of the Metropolitan Transit Authority, acting under the provisions of Chapter 544 of the Acts of 1947, as amended, duly called and held on the Twenty-third day of January, 1961, at which all the members were present, the following Vote was adopted unanimously:

VOTED: That the General Manager be, and he hereby is, authorized to execute on behalf of the Metropolitan Transit Authority an Agreement between the Boston Redevelopment Authority, a body politic and corporate, and the Metropolitan Transit Authority providing for the reimbursement of the Metropolitan Transit Authority for all cost and expense incurred by said Metropolitan Transit Authority in connection with the removal or relocation of certain power cables from the West End Project, so-called, and the construction of new conduits in new locations approved by the Massachusetts Department of Public Utilities - Order No. 13381, dated October 5, 1960; estimated cost of said work being Eighty-one Thousand Seven Hundred Dollars (\$81,700.00); said Agreement to be in such form and to contain such other terms, conditions and provisions as may be approved by General Counsel.

A true copy,

Attest:



Recording Secretary of the
Board of Trustees of the
Metropolitan Transit Authority

